

**UNITED STATES DISTRICT COURT**  
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**FOR THE NORTHERN DISTRICT OF ILLINOIS**  
**2019 AUG 22 PM 4:12**

**CLERK  
U.S. DISTRICT COURT**

LEONARD A. SZPLETT, an individual,  
 PLAINTIFF,

vs.

KENCO LOGISTIC SERVICES, LLC,  
 a TENNESSEE LIMITED LIABILITY  
 COMPANY, MARS, INC., The  
 HARTFORD, DAVID JABALEY,  
 MARIO LOPEZ, TAMMI FOWLER,  
 PAULA HISE, TRACE SPIER,  
 ROBERT COFFEY, TODD  
 MOORE, JAY ELLIOTT, DAVID  
 CAINES, MICHAEL MANZELLO,  
 DWIGHT CRAWLEY, and KELVIN  
 WALSH

DEFENDANTS.

**FILED**

11. AUG 22 2019

THOMAS G. BRUTON  
 CLERK, U.S. DISTRICT COURT

1:19-CV-02500
JUDGE : Gary Feinerman
Magistrate Judge: Young B. Kim

PLAINTIFF'S MOTION TO CLARIFY AND CORRECT THE FILING DATE OF  
PLAINTIFF'S RESPONSES TO DEFENDANT'S KENCO LOGISTICS, DAVID  
JABALEY, MARIO LOPEZ, TAMMI FOWLER, PAULA HISE, TRACE  
SPIER, JAY ELLIOTT, DAVID CAINES, MICHAEL MANZELLO, DWIGHT  
CRAWLEY, KELVIN WALSH, MARS, ROBERT COFFEY, TODD MOORE  
and The HARTFORD'S 12b(6) MOTION TO DISMISS PLAINTIFF'S CASE

**NOW COMES** Plaintiff, Leonard A. Szplett, Pro Se, hereby motions  
 the court to take notice of Plaintiff's actual filing date of his responses to  
 Defendants' Motion(s) to Dismiss and in support of his motion Plaintiff states  
 the following; THAT:

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1. Plaintiff contends that the court ordered him to file his responses by August 13, 2019.
2. Plaintiff contented that he timely filed his responses on August 13, 2019 by U.S. Mail. See attached Exhibit A
3. Plaintiff contends that two (2) sets of his responses were delivered to the clerk's office on August 15, 2019 according to U.S. Postal records. See Attached Exhibit B
4. Plaintiff contends that he called several times to the clerk's office to follow up on receipt of his responses.
5. Plaintiff contends that it was until yesterday, August 21, 2019, in the late afternoon that his responses were uploaded to the electronic filing system.
6. It was also at that time that Plaintiff learned that his responses were time stamped August 16, 2019 and that the accompanying postmarked envelope was not scanned.
7. Plaintiff was not sure how this process would validate the timely filing of his responses, as the postmarked envelope was not reflected in the records according to the clerk's office.
8. Plaintiff did not want to appear to have taken advantage of the courts time it extended to Plaintiff to respond and;
9. In an effort to demonstrate his compliance and to avoid any unnecessary issues or adverse decisions in his case, Plaintiff took it upon himself to

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bridge any gaps and provide the necessary information to demonstrate  
his compliance.

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**Wherefore**, Plaintiff prays to this Honorable court to take note that Plaintiff complied with the August 13, 2019 filing date of his responses in opposition to Defendants Kenco, Hise, Walsh, Crawley, Caines, Jabaley, Lopez, Fowler, Manzello, Spier, Mars, Robert Coffey, Todd Moore, and the Hartford's motion(s) to dismiss

Respectfully Submitted this 22 Day of August 2019 by:

*Leonard Szplett*  
Leonard Szplett  
3421 W. 1500 NW RD.  
Kankakee, ILL 60901  
815-212-3125  
Stkbnd2000@aol.com

CERTIFICATE OF SERVICE

Please take notice that on August 22, 2109 I, Leonard A. Szplett, hereby do, certify that I did file a MOTION TO CLARIFY AND CORRECT THE FILING DATE OF PLAINTIFF'S RESPONSE(S) TO DEFENDANTS KENCO LOGISTICS, DAVID JABALEY, MARIO LOPEZ, TAMMI FOWLER, PAULA HISE, TRACE SPIER, JAY ELLIOTT, DAVID CAINES, MICHAEL MANZELLO, DWIGHT CRAWLEY, KELVIN WALSH, MARS, ROBERT COFFEY, TODD MOORE, and The HARTFORD's 12b(6) MOTION TO DISMISS with the NORTHERN DISTRICT OF ILLINOIS in the foregoing matter of Case No. 1:19 CV-02500 and have served the persons identified on the docket's service list through Notice of Electronic Filing generated by the Court's CM/ECF system through the Clerk's Office.

Respectfully Submitted this 22 Day of August 2019 by:

*Leonard Szplett*

Leonard Szplett  
3421 W. 1500 NW RD.  
Kankakee, ILL 60901  
815-212-3125  
Stkbnd2000@aol.com

## Exhibit A

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Duplicate

Product	Qty	Unit Price	Price
PM 1-Day Flat Rate Env	1	\$7.35	\$7.35
(Domestic)			
(CHICAGO, IL 60604)			
(Flat Rate)			
(Expected Delivery Day)			
(Thursday 08/15/2019)			
(USPS Tracking #)			
(9505 5156 4056 9225 3850 70)			
Insurance			\$0.00
(Up to \$50.00 included)			
<b>Total :</b>			<b>\$7.35</b>

Debit Card Remit'd	\$7.35
(Card Name:VISA)	
(Account #:XXXXXXXXXXXX1666)	
(Approval #)	
(Transaction #:958)	
(Receipt #:022076)	
(Debit Card Purchase:\$7.35)	
(Cash Back:\$0.00)	
(AID:A0000000980840 Chip)	
(AL:US DEBIT)	
(PIN:Verified)	

Includes up to \$50 insurance

Text your tracking number to 28777  
(2USPS) to get the latest status.  
Standard Message and Data rates may  
apply. You may also visit [www.usps.com](http://www.usps.com)  
USPS Tracking or call 1-800-222-1811.

In a hurry? Self-service kiosks offer  
quick and easy check-out. Any Retail  
Associate can show you how.

Save this receipt as evidence of  
insurance. For information on filing  
an insurance claim go to  
<https://www.usps.com/help/claims.htm>

Preview your Mail  
Track your Packages  
Sign up for FREE @  
[www.informeddelivery.com](http://www.informeddelivery.com)

All sales final on stamps and postage.  
Refunds for guaranteed services only.  
Thank you for your business.

HELP US SERVE YOU BETTER

TELL US ABOUT YOUR RECENT  
POSTAL EXPERIENCE

Go to:  
<https://postalexperience.com/Pos>  
840-5606-0006-006-00038-90009-02

## USPS Tracking®

## Exhibit B

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Track Another Package +

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Tracking Number: 9505515640569225385070

Remove X

Your item was delivered in or at the mailbox at 9:45 am on August 15, 2019 in CHICAGO, IL 60604.

### Delivered

August 15, 2019 at 9:45 am  
Delivered, In/At Mailbox  
CHICAGO, IL 60604

Get Updates ▾

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### Text & Email Updates



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### Tracking History



Feedback

August 15, 2019, 9:45 am

Delivered, In/At Mailbox  
CHICAGO, IL 60604

Your item was delivered in or at the mailbox at 9:45 am on August 15, 2019 in CHICAGO, IL 60604.

August 15, 2019, 9:02 am

Arrived at Post Office  
CHICAGO, IL 60699

August 15, 2019, 1:04 am

Arrived at USPS Regional Facility  
CHICAGO IL DISTRIBUTION CENTER

August 14, 2019

In Transit to Next Facility

August 13, 2019, 9:26 pm

USPS in possession of item  
CHICAGO, IL 60699

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### Product Information



See Less ^